

**Minutes
Windsor Town Council Meeting
Town Hall
January 27, 2009**

The Windsor Town Council met in regular session on Tuesday January 27, 2009 at 3:00 p.m. in the Council Chamber. Vice-Mayor Jones called the meeting to order. Terry Whitehead, Town Deputy Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Michael Stallings, Planning and Zoning Administrator, Chief Porti, and Joshua Pretlow, Jr., Town Attorney, were present.

Council members present:

- William L. Jones
- Wesley F. Garris
- Carita J. Richardson
- Durwood V. Scott
- Greg Willis
- J. Clinton Bryant – arrived at 3:35

Vice-Mayor Jones said Councilman Bryant would be a few minutes late for the meeting. Vice-Mayor Jones asked if a Council member would volunteer to give the invocation, due to the absence of Councilman Bryant. Councilman Garris gave the invocation.

Vice-Mayor Jones said Mayor Crocker has a temporary medical disability that prevents him from attending this meeting in person. He said per the provisions of Section 2.2-3708.1 of the Freedom of Information Act of the Code of Virginia, Mayor Crocker will participate in this meeting via the telephone. Vice-Mayor Jones said he would be presiding over this meeting. Mr. Rowe asked Mayor Crocker to give a volume test to make sure all Council members could hear him. Mayor Crocker gave a volume test, and all Council members agreed they could hear him. Mayor Crocker said he could hear the Council members as well.

Delegations, Public Comments, and Citizens Concerns – None

Consent Agenda

Vice-Mayor Jones asked for approval of the consent agenda, which included the minutes of the January 13, 2009 Special Called Council meeting, minutes of the January 13, 2009 Council meeting, and minutes of the November 21, 2008 Council Work Session. Councilman Garris made a motion to approve the consent agenda as presented. Councilman Willis seconded. Vice-Mayor Jones called for the question. Council unanimously passed the motion as recorded on the attached chart as motion #1.

Financial Report for 2008–2009 - Town Manager

Mr. Rowe said, as discussed at Council last meeting, the Town has completed the first half of Fiscal Year 2008-09 on 31 December 2008; as such, the Town has completed the first six months of our current budget year.

Mr. Rowe stated that he and his staff had conducted a comprehensive analysis of the revenues and expenditures for the first six-months of this fiscal year for both the General Fund and the Water Fund, and he would give Council a financial report on the results of this analysis at this meeting. He said that he would use a series of charts to explain how this budget year is progressing. ***Note: These charts are at the end of these minutes, and they are incorporated into these minutes by this note.***

Cash Flow

Mr. Rowe said that it is important to review the Town's cash flow for both the General Fund and the Water Fund. Cash flow is the Town's monthly "*intake*" of revenues and our monthly "*outflow*" of expenditures. Mr. Rowe said that the general monthly "*intake*" of revenues and the general monthly "*outflow*" of expenditures do not vary that much from budget year to budget year.

General Fund:

Mr. Rowe said that because the Town requires citizens to pay their real estate taxes and personal property taxes in December, the Town's General Fund revenues "*spike*" in December. He said that the General Fund expenditures are spread out fairly evenly throughout the fiscal year. Chart One is the General Fund's cash flow for Fiscal Year 2006-07, and Chart Two is the General Fund's cash flow for Fiscal Year 2007-08. Mr. Rowe said that he anticipates that the cash flow for the current fiscal year, 2008-09 will be similar to that of the two previous fiscal years.

Water Fund:

Mr. Rowe said that the Town's Water Fund revenues are more evenly distributed throughout the budget year than those of the General Fund. Chart Three is the Water Fund's cash flow for Fiscal Year 2006-07, and Chart Four is the Water Fund's cash flow for Fiscal Year 2007-08. He said that he anticipates that the cash flow for the current fiscal year, 2008-09 will be similar to that of the two previous fiscal years.

Mayor Crocker said he would like to point out that the "Water Fund Cash Flow" chart for June 2008 shows a significant increase in expenditures compared to income. Mr. Rowe said the auditor's Comprehensive Annual Financial report did

show a loss in the Water Fund for the fiscal year that ended June 30, 2008. Mr. Rowe said he would be addressing this concern when we get to the Water Fund Budget for the current fiscal year for the first six months. Councilman Scott asked do we know why the expenses went up so much in that one year to make expenses higher than revenue. Mr. Rowe said he wasn't here in June, but in the budget process, it appears that Council contemplated the need to fund depreciation. He said he doesn't know if depreciation was reflected in June. He said he would have to research that information and get back with Council.

General Fund Revenues

In order to meaningfully evaluate our first six month's collection of General Fund revenues, Mr. Rowe said that he and his staff examined this year's revenue collection to date in comparison to the revenue collection for the same six-month period for the previous five fiscal years. Mr. Rowe told Council that the private retail sector uses this method of evaluation when it compares "*same store sales*" for the current year to sales for the same store and month for a previous year. He said that his analysis examined and compared the Town's major sources of General Fund revenues for not only the current fiscal year, but also for the previous five fiscal years.

Mr. Rowe told Council that comparing our revenues during this current recessionary situation to the more "robust" fiscal years, such as Fiscal Years 2003-04, 2004-05, 2005-06, and 2006-07, is very meaningful.

Utility Tax:

Mr. Rowe said that Chart Five provides a comparison of the collection of our Utility Tax revenues for the first six months of Fiscal Year 2008-09 to the same period for the previous five fiscal years. He said that the 2008-09 budget estimate for revenues from the Utility Tax is \$45,000. He said that the right vertical axis of this chart provides the collections for the first six months of the fiscal year as a percentage of the total budget estimate for that fiscal year. He told Council that we have already made "budget" for the current fiscal year for the Town has collected 108.6% of our budget estimate. He said that he anticipates that our rate of revenue collection for this source will remain the same for the balance of this fiscal year. Consequently, Mr. Rowe said that the Town should exceed our budget estimate by approximately \$40,000 or so.

Councilwoman Richardson asked if we know why there is such a difference this year in the budgeted amount for utility tax. Mr. Rowe said he did not know why that particular number was put in the adopted budget.

Personal Property Tax:

Mr. Rowe said that Chart Six provides a comparison of the collection of Personal Property Tax revenues for the first six months of Fiscal Year 2008-09 to the previous five fiscal years. He said that the 2008-09 budget estimate for revenues from the Personal Property Tax is \$75,000. He told Council that the Town has already made “budget” for the current fiscal year for it has collected 103.5% of the budget estimate. Mr. Rowe pointed out that the Town’s collection rate for the current fiscal year exceeds the collection rate for the previous five fiscal years.

Real Estate Tax:

Mr. Rowe said that Chart Seven provides a comparison of the collection of Real Estate Tax revenues for the first six months of Fiscal Year 2008-09 to the previous five fiscal years. He said that the 2008-09 budget estimate for revenues from the Real Estate Tax is \$195,000. He told Council that as of 31 December, the Town has collected 97.9% of this amount. He said that he anticipates that the Town will make the budget estimate by the end of this fiscal year, 30 June 2009.

Mayor Crocker said the dip on charts six and seven for 2007-08 represents the fact that the Town had a software problem with the County and our tax collection date had to be put back.

Sales Tax:

Mr. Rowe said that Chart Eight provides a comparison of the collection of Sales Tax revenues for the first six months of Fiscal Year 2008-09 to the previous five fiscal years. He said that the 2008-09 budget estimate for revenues from the Sales Tax is \$90,000. He said that as of 31 December, the Town has collected 46.8% of this amount. Mr. Rowe provided Council with the following table that compares this year’s collection to the collection for the same point in time for the previous five fiscal years:

| Fiscal Year | First 6 Months Collections | Total for the Year | % Collected as of 31 December |
|--------------------|-----------------------------------|---------------------------|--------------------------------------|
| 03-04 | \$ 27,766 | \$ 70,389 | 39.4% |
| 04-05 | \$ 23,636 | \$ 64,913 | 36.4% |
| 05-06 | \$ 31,942 | \$ 73,283 | 43.6% |
| 06-07 | \$ 36,810 | \$ 86,536 | 42.5% |
| 07-08 | \$ 44,221 | \$ 88,961 | 49.7% |
| 08-09 | \$ 42,132 | \$ 90,000 | 46.8% |

Mr. Rowe told Council that although the Town's rate of collection is higher than the "non-recessionary" budget years of 2003-04 through 2006-07, he anticipates that the Town will collect a year-end total of approximately \$84,400.

Meals Tax:

Mr. Rowe said that Chart Nine provides a comparison of the collection of Meals Tax revenues for first six months of Fiscal Year 2008-09 to the previous five fiscal years. He said that the 2008-09 budget estimate for revenues from the Meals Tax is \$184,400. He told Council that as of 31 December, the Town has collected 47.7% of this amount. Mr. Rowe provided Council with the following table that compares this year's collection to the collection for the same point in time for the previous five fiscal years:

| Fiscal Year | First 6 Months Collections | Total for the Year | % Collected as of 31 December |
|--------------------|-----------------------------------|---------------------------|--------------------------------------|
| 03-04 | \$ 34,295 | \$131,431 | 26.1% |
| 04-05 | \$ 38,277 | \$138,787 | 27.6% |
| 05-06 | \$ 42,537 | \$149,840 | 28.4% |
| 06-07 | \$ 55,519 | \$140,982 | 39.4% |
| 07-08 | \$ 88,346 | \$178,936 | 49.4% |
| 08-09 | \$ 87,921 | \$184,400 | 47.7% |

Mr. Rowe said that although the Town's rate of collection is higher than the "non-recessionary" budget years of 2003-04 through 2006-07, he and his staff anticipates that the Town will collect a year-end total of approximately \$174,800.

Cigarette Tax:

Mr. Rowe said that Chart Ten provides a comparison of the collection of Cigarette Tax revenues for the first six months of Fiscal Year 2008-09 to the previous five fiscal years. He said that the 2008-09 budget estimate for revenues from the Cigarette Tax is \$45,000. He told Council that as of 31 December, the Town has collected 47.7% of this amount, and he anticipates that the Town will just barely make the budget estimate by the end of the budget year.

Summary of 2008-09 General Fund Revenue Collections:

Mr. Rowe said that Chart Eleven provides the first six months collection of our major revenue sources as compared to the 2008-09 budget estimates for the same.

He said that in evaluating all of the Town's General Fund revenue collections thus far, both major and minor sources of revenues, he and his staff anticipates

that the will just make its total budget estimates with a little revenue to spare. However, Mr. Rowe qualified this forecast by telling Council that this projection does not anticipates any additional “hick-ups” in the economy. He said he and staff, do not, at this time, anticipate a year-end “shortfall” in overall General Fund revenues.

General Fund Expenditures

Mr. Rowe said that Chart Twelve provides a comparison of the General Fund expenditures for the first six months of Fiscal Year 2008-09 to the same period for the previous five fiscal years. He informed Council that as of 31 December, the Town’s expenditures are 40.7% of the total amount appropriated for the General Fund for the entire fiscal year. Mr. Rowe provided Council with the following table that compares this year’s General Fund expenditures to the expenditures for the same point in time for the previous five fiscal years:

| Fiscal Year | First 6 Months Expenditures | Total for the Year | %of Total |
|--------------------|------------------------------------|---------------------------|------------------|
| 03-04 | \$320,946 | \$ 751,631 | 42.7% |
| 04-05 | \$587,366 | \$1,177,677 | 49.9% |
| 05-06 | \$392,882 | \$ 795,450 | 49.4% |
| 06-07 | \$445,805 | \$ 868,960 | 51.3% |
| 07-08 | \$487,741 | \$1,155,070 | 42.2% |
| 08-09 | \$527,202 | \$1,294,219 | 40.7% |

Mr. Rowe said that he and his staff are carefully watching our expenditures. He said that he and his staff anticipates that the Town will come in under the overall budget amount for expenditures by the end of this budget year.

Mr. Rowe said that Chart Thirteen provides the status of the expenditures for the first six months of 2008-09 as compared to the total budgeted amounts for each expenditure.

The 2008-09 Water Fund Budget

Mr. Rowe said that the Town’s Water Fund budget totals \$571,000 for Fiscal Year 2008-09. He said that the Town’s water revenues come from the sale of water to its water customers and from charging connection fees for “new construction.” He reminded Council that the Town had increased its various rates in our water rate structure by approximately 50% effective 1 July 2009.

Water Revenues:

Mr. Rowe said that Chart Fourteen provides a comparison of the collection of water revenues for the first six months of Fiscal Year 2008-09 to the previous five fiscal years. He informed Council that the Town is behind the rate of collection

for the past three fiscal years. He explained that there are two reasons for this lag in revenues.

First, the Town's water sales for the first six months of this fiscal year are 9,000,000 gallons behind those for the same period last fiscal year. He said that the water customers are using less water. He said that one might attribute this reduction in water sales to the increase in the water rates. Mr. Rowe explained that by the end of this budget year, he and his staff anticipate that the Town will fall short of the budget estimate by \$100,000.

Second, Mr. Rowe told Council that the Town has virtually no revenue from connection fees. This is directly related to the very weak economy; there is hardly any new construction underway. He said that he does not anticipate any revenues from this source for the balance of this fiscal year. He told Council that he anticipates that the Town will have a year-end revenue short fall of \$89,000 from this source.

Mr. Rowe said that combining these two revenue shortfalls, he anticipates that the Town will have a total revenue shortfall of \$189,000. He said that he anticipate that the Town's year-end revenues will total \$382,000 instead of \$571,000.

Mr. Rowe explained that the Town will have sufficient revenues to fund the operating and maintenance costs and the cost of the debt service on our existing Rural Development loan (the "old loan"). He pointed out that these costs total approximately \$352,000. He said that as a result of this revenue shortfall, the Town will not be able to fund depreciation to the extent that the 2008-09 water budget anticipates. He explained that funding depreciation is important for it is the mechanism for financing the future replacement of the water system as it wears out.

Water Expenses:

Mr. Rowe said that Chart Fifteen provides a comparison of the water expenditures for the first six months of Fiscal Year 2008-09 as compared to the previous five fiscal years.

As for the operating and maintenance portion of the water budget, Mr. Rowe said that he anticipates that the Town will be at or under budget at the end of this budget year. Mr. Rowe explained that the Town can meet its debt service payments on the existing Rural Development loan, the old loan. He said that the Town will not be able to fully fund depreciation this budget year. Mr. Rowe said that he does not anticipate that the Town will closing on the new Rural Development loan before the end of this budget year; therefore, the Town will not incur any new debt service cost for the balance of this fiscal year.

Mayor Crocker asked what the Town is going to do with the water rates in the future. Mr. Rowe said the rates were increased effective July 1, 2008. He said compared to seven other publicly owned water systems in this region, Windsor has the next to the lowest water bill based on an average of 10,348 gallons used. Mr. Rowe said to answer Mayor Crocker's question regarding the water rates, the Town is going to have to increase the water rate in order to try to fund depreciation. He said when the Town closes on the new loan; the Town is looking at another \$5,324 per month in new debt service for that loan. Mr. Rowe said he would bring back proposals under the inverted block rate structure and also on the unit price basis for Council's review.

Councilwoman Richardson said she understood that the Town had to do an analysis of our water rates and have water rates that would cover the loan for the Town to get the loan. She said the analysis of what was done has not worked. She asked how this affects our ability to get the loan and where is the point where we are going to stop asking our citizen's to pay for this well. Councilwoman Richardson asked if the Town could afford this loan since the money anticipated is not coming in.

Mr. Rowe explained that water rate study had recommended an even higher water rate increase than the increase enacted by Council. He said the analysis said the Town needed a higher water rate, but Council chose another rate other than what the study recommended. Mr. Rowe said the Rural Development loan contains a "double barrel" debt service payment provision. He said the first barrel is that the Town pledges the revenues from the water system to meet the debt service. He said if the Town does not set the water rates efficient to meet the debt service, then the "second barrel" is that the Town is pledging the General Fund to pay the debt service. He explained that Council conducted a public hearing on December 9, 2009 on the matter of issuing a General Obligation Bond to back the revenue bond. Mr. Rowe said that Rural Development requires this type of pledge on its loans. He said that is why we get a lower interest rate because the risk is gone. Mr. Rowe said water is a cheap utility and the Town of Windsor is competitive. He said Windsor should have been increasing the water rate a little bit each year over time.

Councilman Garris said the water rate schedule chart shows a 209% increase for usage above 12,000 gallons. He said he averages it to be only a 109% increase.

Councilman Scott said he would like to know how much it cost to produce a gallon of water. He said he thinks citizens would be more understanding about a water rate increase, if they knew how much it cost per gallon to produce. Mr. Rowe said he would provide that information.

Mr. Rowe summarized this financial briefing by saying that the Town's General Fund budget looks favorable at this point in time. He said that he and his staff anticipate that the Town will meet its overall revenue estimates for the budget year. He said that he anticipates that the Town's year-end expenditures will be at or below budget. Mr. Rowe pointed out again that this projection does not include any additional "hick-ups" in the economy; if there are any "hick-ups," then they will negatively impact the Town's revenue collections.

Mr. Rowe said that the revenues in the Town's Water Fund budget will only cover our operating, maintenance, and current debt service costs. He said that the Town will not be able to fund depreciation to the extent that the 2008-09 budget anticipates.

Mr. Rowe said that Council needs to officially receive and approve the Treasurer's Report for the month of December 2008. He recommend that Council do this by the adoption of a motion.

Councilman Scott asked what the administrative collection fee in the Treasurer's Report under revenues represented. Mr. Rowe said that was the \$30.00 collection fee per year for delinquents.

Councilwoman Richardson made a motion to receive and approve the Treasurer's Report for the month of December 2008. Councilman Garris seconded. Vice-Mayor Jones called for the question. Council unanimously passed the motion as recorded on the attached chart as motion #2.

Resolution to Appropriate Rural Development Loan Funds & to Approve a Contract for Engineering Services – Town Manager

Mr. Rowe said this matter relates to the \$1,331,000 loan from Rural Development of the United States Department of Agriculture to the Town of Windsor for financing a capital project consisting of certain improvements to the Town's water system. He said we need to initiate the engineering services for this capital project, and Council needs to appropriate the funds for the engineering services. He reminded Council that R. Kenneth Weeks Engineers is the Town's engineering firm, and this firm did the preliminary engineering for this capital project and the Rural Development loan.

Mr. Rowe said Council will find in front of them a revised resolution. He said the revision is in the amount of the engineering fees. He said the fees changed from \$251,260 to \$222,562. He said Rural Development has reviewed the contract and they have signed off on it. He said they did make one change and that is to put a limit of \$60.00 per hour for construction inspection. He said that is reflected in this appropriation.

Mr. Rowe said he recommends that Council have the Town Deputy Clerk read the title of this resolution, and that Council adopt this resolution. The Deputy Clerk read the title of the resolution as follows:

A Resolution Appropriating The Sum of \$222,562 From The Proceeds OF A \$1,331,000 Loan From The Rural Development Agency Of The United States Department Of Agriculture For Engineering Services For Certain Water System Improvements And Approving A Certain Agreement Between The Town of Windsor And R. Kenneth Weeks Engineers, LLC For Said Engineering Services

Vice-Mayor Jones made a motion to adopt the resolution.

Councilman Willis seconded.

Councilman Scott asked if the Town is going to have the ability to pay this loan back based on the information received earlier in the meeting regarding the Water Fund. Mr. Rowe said the Town will be able to pay this loan back because the Town has a double barrel guarantee, one being the water rate and the other being the General Fund. He said the loan is not in jeopardy due to the information regarding the Water Fund.

Councilman Garris said he is going to vote for this resolution, but he feels that by voting for this resolution, he will be voting to increase water rates. He said he feels it is necessary to vote for this resolution because if a well goes down, the Town is going to be in trouble, because citizens would be left with very little water. Councilman Garris said he doesn't feel like Council has an option as to whether or not to put in a new well. Councilman Garris said as bad as he hates to say it, after just following a 50% water rate increase on the minimum, he feels the rates are going to have to be increased. He said the Town should never have the General Fund paying for the water system. Councilman Garris said he agrees with Councilman Scott that we need to know what it cost per gallon to produce water. He said he has been requesting this information for several years and has never received it. He said if the citizens could see the cost per gallon to produce water, they would be more understanding of a water rate increase.

Vice-Mayor Jones said that information should be a must, because we owe it to the citizens who buy water from the Town. They need to know how much it cost the Town to produce in order to understand the water rate increase. Mr. Rowe said he would do the study and report back to Council for their review.

Vice-Mayor Jones called for the question. Council unanimously passed the motion as recorded on the attached chart as motion #3.

Resolution Setting the Dates for the Regular Meetings of Council for the Balance of Fiscal Year 2008-2009 – Town Manager

Mr. Rowe said Section 15.2-1416 of the Code of Virginia requires you to set the dates for your regular meetings at the beginning of every fiscal year. He said the Town's Code, via Section 33-9, sets the second Tuesday at 7:00 p.m. as your regular meeting dates. He said pursuant to the provisions of Section 15.2-1416 of the State Code, Council needs to update its schedule of regular meeting dates for the balance of this fiscal year. Mr. Rowe said that Council has a resolution that sets the calendar for the regular meeting for the balance of this fiscal year. Mr. Rowe said this calendar can be revised as needed.

Mr. Rowe said he recommends that Council have the Town Deputy Clerk read the title of the resolution, and that Council adopt this resolution. The Deputy Clerk read the title of the resolution as follows:

*A Resolution Setting The Dates For The Balance of Fiscal Year
2008-2009 Regular Meetings Of The Council Of The Town Of
Windsor, Virginia*

Councilwoman Richardson made a motion to set the second Tuesday of each month for the Town's regular Council meeting at 7:00 p.m. according to the Town of Windsor Code, and to set the fourth Tuesday of each month as a Work Session and/or Committee meeting at 3:00 p.m.

Mr. Pretlow said how Council would like to structure their meetings does not need to change the calendar. He said the structure is based on how Council directs the Town Manager to do the meetings. Mr. Pretlow said Council just needs to adopt the calendar for dates and times of Council regular meetings. Mr. Pretlow said he recommends Council adopt the resolution as presented and Council can discuss and direct how it wants to format the meetings.

Councilman Garris said he doesn't think Council needs to meet twice a month every month. He said he suggests going to the once a month meeting required in the Town Code and at that meeting decide if another called meeting is necessary. Councilwoman Richardson said she agrees with Councilman Garris. She said she knows there will be some months when a second meeting is necessary, for example, when dealing with the budget or discussing the new Town Charter. She said there will be some months that Council will not need to meet for a Work Session or a Committee meeting.

Councilman Willis asked if this resolution would tie Council to the second meeting or is this a calendar that can be amended or adjusted as needed. Mr. Pretlow said it could be changed.

Councilman Willis seconded. Vice-Mayor Jones called for the question. The motion was voted down 5 to 1 as recorded on the attached chart as motion #4.

Councilman Garriss made a motion to adopt a resolution setting the second Tuesday of each month for the Town's regular Council meeting at 7:00 p.m. according to the Town of Windsor Code. Councilwoman Richardson seconded. Mr. Rowe said because the State Code provides that Council must set the dates of its regular meetings by resolution, he recommends scratching each second Tuesday of every month off the resolution and then adopt the revised resolution.

Mayor Crocker said this is a drastic change. He said these meetings were set up because Council felt like Work Sessions were necessary. He said he thinks it is a good idea to have these dates scheduled on the calendar and changed if needed. He said then citizens would know when the meetings are scheduled.

Vice-Mayor Jones called for the question. Council unanimously passed the motion as recorded on the attached chart as motion # 5.

Councilwoman Richardson said she hoped the Mayor and Vice-Mayor would feel the need to call Work Sessions for the fourth Tuesday when Council feels they are needed. She said this would give Council the opportunity to brain-storm and discuss issues other than at our regular meetings.

Discussion of Articles 1 and 2 of the Proposed New Charter

Mr. Rowe said Councilwoman Richardson had asked him to provide information regarding Articles 1 and 2 of the proposed new Town Charter. He said Article 1 deals with boundaries and we can't change boundaries by charter. Mr. Rowe said Article 2 deals with the Powers. He said the two State Code citations that Councilwoman Richardson asked him to provide Council a summary on is covered in those chapters. He said both are entitled 15.2, which is the title that deals with local government. Mr. Rowe said he put the table of contents for Chapter 11 and Chapter 49 in front of Council before the meeting. He said that Chapter 11 deals with the general Powers that are given to towns and cities and Chapter 49 pertains to Industrial Development Authority. Mr. Rowe said this is an issue he anticipates that Council and the Economic Development Committee will be discussing in the future. He said the new Economic Development Committee is standing at a cross roads. He said they can continue to be a committee or they could decide to recommend to Council that it recreate an Industrial Development Authority pursuant to the provision of the State Code. Mr. Rowe said the benefit is that the Authority has the opportunity to authorize the issuance of Industrial Revenue Bonds. He said these are bonds that are essential to private sector economic development. Mr. Rowe said the authorizing authority can charge an administrative fee and this is good source of revenue.

Mr. Rowe said Council can refer to Title 15.2 in the State Code to look at any particular section. He said Council can also find this information online.

Mr. Rowe said these are Powers granted by the General Assembly to city and towns. Mr. Rowe said the Charter states that if Council would like, the Town can exercise these powers from time to time. After further discussion, Mr. Rowe said he would be available, if Council members had any questions.

Old or Unfinished

Mr. Rowe said at a previous Council meeting back in December, Council had instructed him to get the professional services necessary to improve the traffic flow and parking for the Town Hall and the post office. He said it was incorporated in a motion that was passed by Council. He said he looked around for the best traffic engineer who also had the ability to do site lay-out. Mr. Rowe said that James R. Fox of URS Corporation has that reputation. Mr. Rowe said Mr. Fox bill the Town on "time and material" basis with a provision not to exceed \$5,000 for this work. Mr. Rowe said he recommended to Council that Council authorize him to continue to move forward on this basis.

Mayor Crocker made a motion for the Town Manager to go forward with the traffic study for the Town Hall and the post office. Councilwoman Richardson seconded. Councilman Bryant asked if the motion includes up to \$5,000. Vice-Mayor Jones said if it exceeds \$5,000, the Town Manager would have to come before Council. Vice-Mayor Jones called for the question. Council unanimously passed the motion as recorded on the attached chart as motion #6.

Mr. Rowe said he contacted Verizon, and they gave him an estimate of eight to ten million dollars to move the building.

Mr. Rowe reminded Council of the VML Legislative day on February 5, 2008 and the VML Budget Conference on February 6, 2008.

Mr. Rowe said he received a letter back from Mr. Pierce Homer, Secretary of Transportation, stating he had received the Town's Resolution regarding the center turn lane on Route 460. Mr. Rowe said that Mr. Pierce acknowledged the fact that Mayor Crocker attended the hearing, and he ended the letter saying there was no money available. Mr. Rowe said he would send Council a copy of the letter.

Mr. Rowe said at the Legislative Breakfast, Councilwoman Richardson approached Senator Fred Quayle regarding the overall drainage issues in the Town of Windsor. He said the problem is that VDOT does not maintain the outfall ditches. Senator Quayle said to have the Town Manager send a letter. Mr. Rowe said he has sent a letter saying "please get VDOT back in the business of cleaning ditches".

Mayor Crocker said the Town received a "thank you" note from Dr. Brian Mack for the welcome basket. Mayor Crocker said the Town Manager and himself attended the Mayors and Chairs meeting on January 23, 2008. He said the big item was the state budget's shortfall in revenues Mayor Crocker said the VML Update is very informative, and if Council did not want to wait for it to come in their packets, they could go on the VML website and review it. Mayor Crocker said he received an email from Dwight Farmer, who is both a professional engineer and the Executive Director's Secretary for the Hampton Roads Planning District Commission. He said Mr. Farmer sent a copy of the House Bill 2613. He said that bill deals with cash proffers. Mayor Crocker read a section of the bill as follows: *Localities which are authorized to accept cash proffers shall fade out the acceptance of such proffers no later than July 13, 2014.* Mayor Crocker said if this bill goes through, then the Town of Windsor will see some repercussions down the road.

Closed Session

Councilwoman Richardson made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711 A-1 for the purpose of discussing personnel matters. Councilman Scott seconded. Council passed the motion unanimously as recorded on the attached chart as motion #7.

Councilwoman Richardson made a motion to go back into regular session. Councilman Garris seconded. Council passed the motion unanimously as recorded on the attached chart as motion #8.

Councilman Garris made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such business matters as were identified in the motion that Council passed to go into closed session. Councilwoman Richardson seconded. Council passed the motion unanimously as recorded on the attached chart as motion #9.

Councilman Garris made a motion to adjourn. Councilman Willis seconded. Council passed the motion unanimously as recorded on the attached chart as motion #10. The meeting adjourned at 6:33.

Marvin A. Crocker, Jr.
Mayor

Terry Whitehead
Deputy Town Clerk